

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH STANLEY CRUMLICH,	:	NO. 1:CV-07-1888
Plaintiff	:	
	:	
v.	:	Complaint filed 10/17/07
	:	
CLEVELAND BROTHERS	:	Judge Conner
EQUIPMENT COMPANY, INC.,	:	
Defendant	:	JURY TRIAL DEMANDED

STIPULATION

And now comes McNees Wallace & Nurick on behalf of Defendant Cleveland Brothers Equipment Company, Inc. ("Cleveland Brothers") and makes the following stipulation:

1. Defendant made a Rule 68 Offer of \$38,000.00 without attorneys' fees to end this litigation.
2. Plaintiff accepted Defendant's Rule 68 Offer.
3. Under Rule 68 Plaintiff is entitled to attorneys' fees as part of the Rule 68 Offer.
4. The parties have agreed that \$30,000.00 is a reasonable attorneys' fee for Plaintiff.

5. Defendant hereby stipulates that it will make payment of \$30,000.00 to Plaintiff's counsel forthwith.
6. Plaintiff concurs in this Stipulation.
7. The parties agree that Plaintiff will not be required to file a fee petition to enforce its right to attorneys' fees.

McNEES WALLACE & NURICK LLC

By /s/ Shaun D. Henry
Shaun D. Henry
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Attorneys for Plaintiff

Dated: May 16, 2008

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing document was served electronically by the Court upon the following:

Solomon Z. Krevsky, Esq.
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By /s/ Schaun D. Henry
Schaun D. Henry

Dated: May 16, 2008